United Nations E/CN.17/2010/11/Add.6

Economic and Social Council

Distr.: General
13 January 2010

Original: English

Commission on Sustainable Development
Eighteenth session
3-14 May 2010
Item 3 of the provisional agenda*
Thematic cluster for the implementation cycle 2010-2011 — review session

Discussion papers submitted by major groups

Note by the Secretariat

Addendum

Contribution by workers and trade unions**

Contents

		Page
I.	Introduction	2
II.	Transport	2
III.	Mining	5
IV.	Chemicals	10
V.	Waste management	14
VI.	10-year framework of programmes on sustainable consumption and production	17

* E/CN.17/2010/1.

** The views and opinions expressed do not necessarily represent those of the United Nations.

10-20873 (E) 180210

Please recycle

I. Introduction

1. Trade unions have been increasingly active in sustainable development work since the adoption of Agenda 21 and in particular chapter 29 of the Agenda, which sets out the role of workers' organizations.

2. Trade unions contend that only the integration of environmental, social and economic development will deliver a more sustainable future. Our mission is to ensure that workers and the organizations that represent them are involved in this process — in the workplace and at the local, regional, national and international levels.

3. Trade unions are represented at the Commission on Sustainable Development by the International Trade Union Confederation, the Trade Union Advisory Committee to the Organization for Economic Cooperation and Development (OECD) — which have a combined membership of 175 million members in 155 countries and territories — and Global Union Federations, which represent workers in specific sectors.

II. Transport

4. Transport is considered in Agenda 21 in the context of several chapters, including, among others, chapter 9 on Protection of the atmosphere and chapter 7 on Human settlements. In addition, the General Assembly has noted that, over the next 20 years, transportation is expected to be the major driving force behind a growing world demand for energy. Trade unions see an urgent need for energy-efficient, affordable transport systems that provide important access to markets, employment, education and living standards — all of which are critical to the alleviation of poverty.

A. Constraints and obstacles

5. As stated in chapter 7 of Agenda 21: "transport accounts for about 30 per cent of commercial energy consumption and for about 60 per cent of total global consumption of liquid petroleum". This places developing countries under enormous pressure as they strive to accelerate development and raise living standards for their populations.

6. For workers in the transport sector, the past decades of cheap transport have imposed a heavy price in terms of pollution, energy consumption, safety, working conditions and living standards, leading to a reduction in the quality of urban and community life. Rapidly increasing motorization and, so far, insufficient investments in urban transport planning, traffic management and infrastructure are creating growing problems in terms of accidents and injury, health, noise and congestion. But in rural areas too, infrastructure development has been largely overlooked for the past 20 years. Market access and networks for the delivery of goods are vital for lifting poor people out of poverty and on to a sustainable growth path. Yet they are not accessible to many working in agriculture, for instance.

7. Massive changes in the organization of the world's transport industry are at the heart of the globalization process. The unit cost of the transport of goods has fallen

dramatically to below 1 per cent of total production costs, opening up new patterns of production and distribution and dramatically changing socio-economic life. Market pressures keep transport costs down and cheap transport is affecting clean air and the livelihoods of working people. Effective measures need to be taken to promote modes of transport for passengers and goods that are the most energy-efficient, with particular attention to the benefits of intermodality.

8. The multimodal nature of transport means that individual efficiencies cannot be considered in isolation. Only a planned approach, which combines measures to limit private car use, such as high taxation on fuel and vehicles and high road pricing, with fast, comfortable, affordable and efficient integrated bus, taxi and urban rail systems can solve this problem. The promotion and financing of such systems should be a central responsibility of public authorities.

9. The fundamental principle in planning for sustainable transport must be the internalization of external costs. Transporters should cover the total costs of transport — including costs such as congestion, pollution, general health, accidents and poor quality employment, which are currently paid by society as a whole. These measures need to be taken in connection with effective policies for the planning of land use and for the replacement of travel by private car, through the greater availability and use of public transport.[1]

10. Current patterns of transportation development are not sustainable. The evolution of transportation, such as maritime, aviation, road and rail transportation, is an inevitable part of development, but it is also a major driving factor in the world demand for energy and these modes of transport are also major emitters. The transport sector alone accounts for around one quarter of global carbon dioxide (CO_2) emissions and global transport energy-related CO_2 emissions are predicted to increase by 1.7 per cent a year from 2004 to 2030. The predicted road transport growth to 2030 is driven largely by the increased demand for mobility in developing countries, where growth rates are predicted to average 2.8 per cent a year. Coupled with rapid urbanization, transport-related emissions from urban areas are set to rise significantly.[2]

11. The obstacles to achieving sustainable transport systems are many and varied: economic, technical and institutional. The majority of countries rely too heavily on private transportation and there is insufficient investment in affordable public transportation for all. Barriers to the adoption of cleaner technologies in the transport sector are hard to overcome. Reducing emissions and developing cleaner fuel requires massive public and private investment.

12. A shift to a cleaner transport sector depends on changes to lifestyles and patterns. The demand for transportation in developing countries must be dealt with in a sustainable manner with land use and infrastructure being efficiently planned.

13. The path towards sustainable development must not replicate the mistakes of the maritime "flag of convenience" system, which allows employers to escape regulation at the national level, thereby depriving workers of basic rights and

[1] Trade Union statement to the fifteenth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, Copenhagen (7-18 December 2009).

[2] See United Nations Environment Programme submission to the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (2009), available from http://unfccc.int/resource/docs/2009/smsn/igo/045.pdf.

minimum levels of pay. In this maritime example, priority should instead be given to protecting and improving the working environment faced by seafarers and establishing a genuine link between ownership and the flag a ship flies.

14. Cheap transport creates a downward pressure on pay and conditions, which also harms the environment. An untrained or casually employed transport sector labour force can pose environmental risks. Even highly trained workers can be involved in accidents, with potentially disastrous environmental outcomes, if they are forced to work excessive hours. In the transport industry, achieving environmental goals goes hand-in-hand with achieving just and decent work.[3]

B. Possible approaches

15. The organization of transport workers is essential for improving working terms and conditions, reducing adverse health risks and increasing environmental protection. Casually employed or untrained workers in the transport sector must receive professional and vocational training in health and safety to avoid environmental disasters like oil spills and chemical waste problems and to protect themselves, others and the environment. A competent, well-educated and responsible working crew, with a thorough understanding of environmental as well as health and safety issues, is key to attaining sustainable development. There is an urgent need to implement the decent work agenda to ensure that new employment created to strengthen transport infrastructure and create efficient and affordable transport systems is characterized by safe working conditions, proper remuneration, adequate social protection and social dialogue.

16. Solutions must be approached through cooperation and technology-sharing, thereby rejecting further exploitation of the poorer regions by the richer countries and promoting sustainable mobility on a global scale. This means taking into account the different socio-economic characteristics of the regions of the world, as well as trade union priorities and aspirations.[3] The external effects of transport are transboundary. This is a global problem that requires global regulation.

C. Further actions

17. In order to reduce the impact on the environment and develop a more environmentally sustainable transport system, it is important to adopt an integrated and horizontal approach that incorporates regional, structural, social and economic policies.

18. Furthermore, there is a need to set binding targets that require supporting policy actions aimed at greenhouse gas emission reductions, in particular CO_2 emissions, in the following five areas: emissions from transport, air pollutant emissions, growth in transport, share of the individual modes of transport and noise pollution.

19. Trade unions are seeking to actively participate in environmental policymaking and implementation — this is a key message that unions want to convey to the

[3] David Cockcroft, "Shifting the costs", in *Green Growth for Jobs and Social Justice*, Global Unions Publication (Brussels, December 2009).

Commission on Sustainable Development. Transport trade unions consider it their role to focus on more environmentally sustainable transport systems and demand a policy that seeks to balance the social, environmental and economic pillars of sustainable development.[4] The Commission's review process gives unions this possibility, providing a voice for workers' suggestions and best practices.

Box 1

Aviation workers support "jobs and the environment"[3]

Workers in civil aviation recognize the need for a sustainable aviation industry, but reject a narrow view of the future that pits "jobs against the environment". Rather, the International Transport Workers' Federation (ITF) aviation affiliates prefer to work within the positive framework of jobs and the environment and see a number of opportunities.

The ITF Civil Aviation Section currently supports the inclusion of aircraft CO_2 emissions in the European Union Emissions Trading Scheme and calls for a similar scheme to operate on an international basis. It also supports aircraft manufacturers and suppliers that prioritize improvements in fuel efficiency and reductions in nitrogen oxide emissions.

ITF affiliates are also engaged in technical innovations to improve fuel efficiency. But unions know that the technical fix alone cannot guarantee long-term sustainability. Sustainability requires environmental targets to be underpinned by strong regulation. ITF is raising this issue in its capacity as a stakeholder in the International Civil Aviation Organization (ICAO).

Workers have to think long term, as well as short term, with a broader strategic perspective if they are to avoid bearing the cost of such changes. If the aviation industry is to achieve sustainable growth, the workforce, which delivers the service to the travelling public, must be a key partner in developing the safe working practices that will accommodate environmental change. It is essential that unions and employers engage on these issues in the workplace.

III. Mining

20. Coal and mineral mining has provided the basis for the development of modern industrial societies. Mining provides basic raw materials without which most goods could not be manufactured and much of the world's energy could not be supplied. Mining involves the extraction of non-renewable resources, often resulting in severe disruptions of the environment and communities, and has some of the most

[4] European Transport Workers' Federation: *Towards a Trade Union Vision on Sustainable Transport* (Discussion Paper).

dangerous working conditions in the world.[5] Coal provides 25 per cent of the world's energy — only oil provides more — and 40 per cent of the world's electricity. The challenges for mining lie in the "just transition" towards sustainable production methods, health and safety for workers and environmental concerns.

A. Constraints and obstacles

21. Mining is often in competition with other land uses, habitats or indigenous land claims. Aggressive mechanized methods of mining, such as "mountaintop removal", permanently and radically disturb the landscape. Mining operations use or contaminate large amounts of water. Disposal areas are frequently the targets of complaints of visual pollution and dust, or if in the form of tailings ponds, of the risk of release to water courses. Erosion and dust can result from mining operations, especially around open pits and tailings areas. The discharge or run-off of chemicals used in the mining process, as well as the dissolution of contaminants from tailings, can result in high concentrations of arsenic, sulphuric acid, heavy metals or other pollutants in groundwater and surface water. Abandoned mines are sometimes safety hazards, continuing sources of pollution or the cause of dangerous sinkholes. Modern mining operations utilize heavy equipment and the transport of materials and equipment over long distances. All this activity requires intensive energy inputs and thereby contributes to greenhouse gas emissions.[6]

22. The mining industry is criticized throughout much of the world for its poor performance on sustainability. Mining companies have long been known for their ruthless treatment of local populations and indigenous peoples, environmental destruction, poor labour relations and extracting huge wealth without sharing profits and contributing to the long-term development of communities. More recently, some of the worst practices have been modified by the major companies in the face of strong labour unions and environmental and community opposition. However, real problems remain. The track record of medium-sized and smaller mining companies is likely to be worse, although there is no substantive data on this.[5]

23. The widespread use of contract or agency labour at mines can undermine the very notion of sustainable development by condemning current workers and future generations in many countries to poverty, sickness and disease. It is unacceptable for any employer to use contract labour for the sole purpose of reducing wages and benefits and deterring unionization. The use of unskilled and casual workers also endangers the health and safety of unionized miners. Part of any employer's sustainable development policy should be to work with trade unions to phase out contract labour and regularize employment.[5]

24. In terms of occupational health and safety, the global mining industry is consistently one of the most lethal industries for workers. This is why trade union campaigns for the full implementation of the International Labour Organization (ILO) Convention concerning Safety and Health in Mines (ILO Convention No. 176) are so important. To date only 23 countries have ratified the Convention,

[5] World Conference for the Mining and Diamond, Gems Industries and Ornament and Jewellery Processing (DGOJP) Industries: *Report on research, activities and developments* (2008).

[6] International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM): *Sustainability — a Role for Labour, a Role for the ICEM* (June 2009), available from: www.icem.org/files/PDF/EN%20ICEMsustainability090518.pdf.

with Peru being the latest. Notable for their failure to ratify are key coal and metal mining countries. The ratification of ILO Convention No. 176 could dramatically improve laws and regulation in those countries where mine safety is weak. The same multinational mining companies sometimes present quite a different face in the developed world than they do in their operations in the developing world.[6]

25. According to ILO, although the number of people employed in mining only accounts for 0.4 per cent of the global workforce, this sector is responsible for over 3 per cent of fatal accidents at work: 11,000 accidents per year; 30 per day. These figures are underestimates, as they exclude unofficial estimates of fatalities in the informal sector and in small mines. There are no accurate figures on injuries where death does not occur, but suffice it to say that miners are subject to numerous physical and respiratory illnesses. There are also no official global figures on coal mine accidents, but media reports provide some estimates. In many countries, mine deaths and injuries go unreported owing to poor laws and regulations, along with widespread informal mining. The worst situation continues to be in China, which experienced 3,786 fatalities in 2007, representing a drop of 20.2 per cent from the previous year. Some have estimated that as many as 20,000 coal miners are killed each year in accidents. China's official fatality rate is still much higher than that of any other major coal mining country.[5] Fatal accidents also took place in recent years in India, Kazakhstan, Poland, the Russian Federation, South Africa, Ukraine and the United States of America.[5]

26. Mines are frequently located in isolated areas where mining companies can exert a great deal of control over their host communities, and are less likely to be subject to outside scrutiny. The voice of workers, through their unions, may be the only voice able to challenge the practices of the employer.[6] There is a strong link between a company's labour relations practices and its treatment of the environment and communities in which it operates. However, in the absence of a strong and independent trade union, it is difficult to obtain credible information on whether or not a company is attempting to respect labour rights, provide decent work conditions or adhere to environmental best practices and standards.

B. Possible approaches

27. In recent years, some mining companies have made efforts to improve their environmental performance and image through more efficient methods, better management of waste and tailings and stronger efforts to restore sites. This policy approach must continue.

28. Resources and energy will continue to be obtained through mining. Despite this crucial role, the mining industry's environmental and social performance threatens its economic sustainability. An effective mix of voluntary and regulatory instruments is essential if this sector is to meet the challenges of the twenty-first century. The union movement believes that some sort of international regulatory framework for extractive companies is needed. Voluntary corporate social responsibility initiatives are not enough — there must be third-party verification of behaviour, along with rewards and penalties for good or bad behaviour. In addition, countries hosting multinational mining companies (especially developing countries) need to have mechanisms to ensure that best practices, standards and decent work are followed and provide a dispute resolution process if they are not. An essential

part of sustainable social development processes is to ensure that violators are held accountable for their labour, environmental and human rights practices through strong systems of national regulation and international conventions (such as those of ILO) that include the right to organize.[6]

Box 2
Initiative for responsible mining assurance

The International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM) currently sits on the steering committee of the Initiative for Responsible Mining Assurance (IRMA), which was launched in Vancouver, Canada, in 2006 as a response by the mining and jewellery industries to mounting criticisms of mining practices, particularly in developing countries. Its purpose is to develop a voluntary system for the independent verification of compliance with environmental, human rights and social standards for mining operations. The intention to develop third-party independent standards sets IRMA apart from other efforts.

29. Miners and their trade unions bring a unique perspective not often recognized by either employers or non-governmental organizations. Workers fully understand the importance of keeping their jobs. At the same time, as residents of the communities where the mines are located, they understand that mining practices should be carried out in a way that protects the environment and contributes to long-term development. Miners with rights through trade unions and the ability to speak out without fear of retribution can provide accurate and comprehensive information on company practices at the mine and in communities.[5] Mining trade unions cannot ignore the environmental aspects of mining and should therefore be playing a leading role in advocating strong measures to reduce greenhouse gases and protect local environments, while ensuring better and more decent jobs in the mining industry.

C. Further actions

30. According to ILO, there are approximately 11 million workers engaged in mining throughout the world. Although there are no accurate statistics to measure union density in mining globally, the presence of significant coal mining unions in those countries where coal mining is a major part of the economy indicates that coal mining is highly organized. The most notable exception is China, where unions exist but do not function separately from the employers. In most coal mining countries, non-union coal miners can be found in smaller mines and in the informal sector. However, the contracting out of work in coal mines is also increasing.[5]

31. Providing safe conditions must be part of employer sustainability policies. Employers should join with trade unions to support the adoption of ILO Convention No. 176 in those countries where ratification has not occurred. Part III of the Convention committing both employers and labour organizations to set standards

should be implemented. An employer's treatment of his workers often reflects on the company's treatment of the environment.

32. Certain sectors, such as those linked to fossil fuel energy and other energy-intensive sectors will face significant changes in the global shift to a low-carbon energy and industrial future. This includes industries such as steel, iron, coal and aluminium, fossil-fuel based power generation as well as energy-intensive services, such as road transport. Therefore, it is of the utmost importance to support investment in low-carbon technologies and energy efficiency measures, retaining and developing viable low-carbon technologies, wherever possible, supported by skills and training programmes for a low-carbon, resource-efficient economy.[4] The transition that the mining industry will have to face should be just and can be a driver of sustainable economic growth and social progress, if properly planned in consultation with trade unions, in seeking alternative solutions built on solidarity, equity and people's needs.

Box 3
The first Global Agreement in the African mining sector[7]

> One of the world's leading gold producers, AngloGold and the 20-million strong international trade union federation, ICEM, signed an agreement in 2002 on the promotion and implementation of good human and industrial relations.
>
> The key theme underlining the agreement is the "development and sustainability of the gold mining industry worldwide" and the upholding and implementing of "good human resources and industrial relations practices". The promotion of and respect for human and trade union rights, health and safety, environmental protection and the promotion of good relationships with local mine communities are pivotal to the agreement.

33. By working together, unions and community and environmental organizations can ensure that mining employers engage in sustainable development. Local, national and international non-governmental organizations have played a leading role in putting public pressure on companies to improve their practices. Opening up a dialogue between trade unions and non-governmental organizations and seeking common ground will be important in promoting best practices by mining companies and lobbying for effective Government oversight.[5]

[7] ICEM news release (13 September 2002): available from www.icem.org/en/69-Global-Framework-Agreements/1000-AngloGold-signs-Global-Agreement:First-in-Mining-Sector-Africa.

IV. Chemicals

34. Over recent decades, the chemical and related industries, such as pesticides, pharmaceuticals, plastics and rubber, have grown rapidly, especially in emerging economies such as China and India, and are estimated to continue to expand throughout the twenty-first century. These are value-adding industries, which make a significant contribution to social and economic development. At the same time, the production, use and waste of these materials generate environmental and human health problems and their present working practices make unsustainable demands on the natural resource base.

A. Constraints and obstacles

35. Chemical hazards are a major cause of occupational mortality in the world. ILO[8] estimates that hazardous substances kill about 438,000 workers annually and that 10 per cent of all skin cancers are attributable to workplace exposure to hazardous substances.

36. But it is not only workers who suffer. Individuals and communities are also at risk through exposure to chemicals in the home and pollution of the environment.

37. The first key constraint is the lack of knowledge and information. A staggering 99 per cent of the total volume of marketed substances has not undergone in-depth assessment of the risks to human health and the environment.[9] Consequently, many hazardous chemicals are not classified as such and are sold without appropriate labels or safety data sheets.

38. A second constraint is the weak regulatory framework, which leads to a range of problems: irresponsible behaviour by employers; lack of enforcement of core labour standards — thus undermining the ability of the trade union movement to act on these issues; the lack of ratification and implementation of basic standards such as ILO Convention No. 155 on Occupational Safety and Health; and weak labour inspectorates.

39. In industrialized countries, while improvements still have to be made in large companies, the main area of concern is small and medium-sized enterprises, which barely enforce or apply existing legislation or good practice.

40. But it is in developing countries where the situation is particularly alarming.

41. Chemicals with highly toxic active ingredients, such as endosulfan and paraquat, which are banned in many industrialized countries, are still marketed in the developing world. Protective equipment is often not available, and information and training are mostly lacking.

42. Safety and environmental standards vary widely with some sites failing to implement even basic controls. Multinational enterprises deliberately relocate to countries with lower standards, using their economic power to influence host Government policies to ensure that regulation remains limited. These corporate

[8] International Labour Organization (ILO), "Facts on Safety at Work" (2005): www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_067574.pdf.

[9] European Commission, White Paper: "Strategy for a future Chemicals Policy" (February 2001).

strategies mean that workers in developing countries are increasingly victims of the social, environmental and health and safety effects of dumping.

B. Possible approaches

43. Occupational health and the environment are two sides of the same coin — the measures adopted to protect workers' health will help to protect the environment and vice versa. The attainment of sustainable development requires coherent and ambitious policies aimed at implementing a preventative and precautionary approach to the management of chemicals.

44. First and foremost, there is a need to develop comprehensive policies. There are currently a host of legal, economic, technical and voluntary approaches for managing chemicals. But these are partial, addressing specific chemicals, or focusing on specific actions. A comprehensive policy should integrate the different approaches and focus on: all chemicals; promote sufficient chemical characterization and information on properties; provide public information; encourage substitution of the most hazardous substances; and prevent social and environmental dumping and illegal trafficking.

45. There is also a need to promote a culture of prevention. This should be based on the premise that all accidents can be prevented and guided by the principle that it is best to control a hazard at source or as close to the source as possible, either by elimination, isolation or substitution. Particular attention must be paid to chemicals that are carcinogenic, mutagenic and reproductive hazards, persistent, bioaccumulative and toxic chemicals and endocrine disruptors. Developing a culture of prevention depends on the following core elements:

(a) **The right to know:** workers exposed to chemicals have the right to information on the properties and impacts of chemicals through adequate labelling and safety data sheets;

(b) **The precautionary principle:** the precautionary principle must be applied to all new chemicals and technologies, including emerging nanotechnologies and nanomaterials industries, which must have reasonable and scientifically credible assurances of safety;

(c) **Participation:** a key challenge is to influence the chemical industry's decision-making, so that society's interests are properly considered. Involving chemical workers and their representatives in hazard and risk assessment and management through social dialogue provides one way to do this;

(d) **Awareness-raising:** campaigns, such as the trade union campaign the 28 April International Commemoration Day for Dead and Injured Workers (World Day for Safety and Health at Work), are vital for creating the space for dialogue on improving occupational health conditions and thereby advancing sustainable development.

Box 4
Collective bargaining: a tool for sustainable development

> Social dialogue encompasses all types of negotiation between representatives of Governments, employers and workers, including collective bargaining. While health and safety issues are largely governed by national laws, collective bargaining provides a mechanism for implementing these laws in the workplace. Furthermore, collective agreements can safeguard rights for workers that are not provided for by national law. Collective bargaining provides an effective means of raising occupational and environmental health standards and improving working and living conditions and thereby advancing sustainable development.

46. Another important possible approach is to focus on green and sustainable chemistry. These relatively new concepts need to be better integrated into research, negotiation and the production process, if sustainable development is to be attained.

47. Green chemistry refers to the search for synthetic routes, processes and products that have inherently less potential to damage the environment. Promoting green chemistry as an alternative to conventional chemical production processes, is essential not only for reducing the health and environmental risks, but also to maintain the millions of jobs it sustains, which benefit society.

48. Green chemistry is not the same as sustainable chemistry. Green chemistry speaks to the reduction of environmental impact. A sustainable chemical industry, on the other hand, respects green chemistry principles, but also behaves in a socially responsible manner that creates decent work, respects human rights and labour rights, and of course is economically viable. Labour unions desire a sustainable chemical industry, which implies that it is also but not only green. It must also perform to a high standard socially and be economically viable.

49. Opportunities for recycling and reusing chemical products are another area for further development. A large number of chemicals can be recycled and reused directly. For other substances, such as rubber, for which vulcanization makes the reprocessing of tyre rubber into new tyres almost impossible, alternatives need to be found. Tyres, for example, can be retreaded rather than scrapped or scrapped tyres can be reused in construction or as a raw material for new products such as ground rubber.

50. A final priority for the trade union movement is to support "just transition". Just transition aims to ensure that changes to current patterns of production and consumption in the shift to a greener economy are made in a manner that minimizes the stress on workers, their families and communities. Training, green investments, occupational health and safety standards, consultation with trade unions and research on the effects on workers of the transformation of the industry are all vital components of the strategy for delivering a just transition.

Box 5

The role of European Trade Unions in strengthening the regulation of chemicals[10]

European trade unions, led by the European Trade Union Confederation (ETUC) campaigned for an effective framework for safeguarding the environment and workers' health. The adoption of the European Union Regulation on the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) represents an important milestone. Key draft provisions were, however, weakened or dropped as a result of lobbying by the chemical industry. For example, chemical safety reports, which are vital for protecting workers' health, are required for only one third of the number of chemicals compared with the figure originally envisaged — this means that workers are denied safety information for 20,000 chemicals.[11]

Box 6

A tripartite agreement on benzene in Brazil[10]

The National Tripartite Agreement on Benzene, concluded in 1995, provides a model of employer-union cooperation for sustainable development. Signed by industrial associations, Brazilian trade union centres, the Government and Fundacentro, the agreement requires companies and subcontractors to carry, store, use or handle benzene and its derivatives in a prescribed manner, to register its use with the Ministry and to define a "programme of prevention" of benzene's hazards in every workplace. In each plant, workers participate in a representative group of workers which monitors and enforces the Programme for Prevention of Occupational Exposure to Benzene. They also have equal representation on a Permanent National Commission for Benzene. Periodic seminars on Benzene organized under the agreement provide for its joint evaluation. http://www.sustainlabour.org/dmdocuments/ EN159-2008.pdf

C. Further actions

51. The international trade union movement calls on this review session of the Commission on Sustainable Development to support the following actions on chemicals:

(a) **Implement the Johannesburg Plan of Implementation:**

---

[10] See United Nations Environment Programme and Sustainlabour: *Sound and sustainable management of chemicals — A training manual for workers and trade unions* (2008), available from www.sustainlabour.org/dmdocuments/EN159-2008.pdf.

[11] When produced in quantities of 1 to 10 tons.

- Shift the burden of proof for chemical safety away from workers, consumers, communities and the environment and on to manufacturers

- Substitute the most dangerous substances in line with the Stockholm Convention on Persistent Organic Pollutants

- Adopt the Strategic Approach to International Chemicals Management and its follow-up and implement the European Union regulation REACH;

(b) **Ratify and implement** all conventions, regulations, ILO standards and codes of practice regarding chemicals;

(c) **Link occupational health to environmental and public health policy and practice:**

- Reinforce ILO conventions and programmes on occupational health and safety

- Allow for differentiated approaches between developed and developing countries

- Use the link between occupational health and environmental and public health in occupational safety campaigns;

(d) **Apply the preventative and precautionary principles** in all matters relating to the use of chemicals and related substances, especially where knowledge remains inadequate, for example: multiple exposures, endocrine disruptors and nanotechnologies;

(e) **Support just transition** to ensure that workers are provided with safe and decent employment in the shift to a greener, more sustainable economy;

(f) **Increase the global knowledge base** so as to provide for the effective evaluation of the potential risks of hazardous chemicals throughout their life cycle;

(g) **Exchange and disseminate information** on safe chemicals management, including assessing alternatives, products and processes;

(h) **Pay particular attention to chemicals** that are carcinogenic, mutagenic and present reproductive hazards, persistent, bio-accumulative and toxic chemicals and endocrine disruptors;

(i) **Support research, development and implementation programmes** for a greener and more sustainable approach to the manufacture and use of chemicals;

(j) **Promote sustainable production and consumption patterns** by supporting cleaner production centres and the dissemination and transfer of technology.

V. Waste management

52. Millions of tons of agricultural, industrial and domestic waste are dumped in the earth's oceans and soils every year. The most serious sources of waste include heavy metals, pesticides, chlorinated compounds, such as polychlorinated biphenyls and radioactive material. The resulting degradation of coastal zones and fertile land threatens workers' livelihoods and puts the ecosystem out of balance.

A. Constraints and obstacles

53. Unsustainable waste management has enormous impacts on the health and environment of workers and their communities, with the worst effects still to come in the case of, for example, dioxins and furans.

54. Unsurprisingly it is the poorest people and communities that suffer first and foremost — located next to contaminated land or in areas of high air pollution, they are most exposed to risks.

55. At the international level, developing countries are recipients of environmentally polluting or health-damaging wastes, which are exported from industrialized countries, including a growing trade in illegally exported toxic wastes, as companies seek to avoid waste taxes and other waste disposal costs.

56. This massive and unjust externalization of costs not only transfers health and environmental risks to the most vulnerable, but also acts to impede the shift to cleaner and greener production that is so urgently needed for a more sustainable future.

57. Developing countries accept these practices in exchange for minimal income. Yet more often than not they lack the capacity to handle the waste in a safe and adequate manner. There are many examples of wastes being dumped in open spaces where children and poor women go in search of food, water and firewood.[12]

58. Despite numerous multilateral agreements governing the movement of dangerous substances — including the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal that came into force in 1992 and the adoption of various European directives — there is a lack of political will to implement commitments and sanction violations. A case in point is the Probo Koala marine catastrophe in 2006, which involved the dumping of 500 tons of toxic waste leading to the poisoning of thousands of people living around the port of Abidjan, Côte d'Ivoire.

59. Recycling activities, such as the dismantling of ships or electronic appliances, are also increasingly being transferred to developing countries, with similar results.

60. Turning to the waste management sector, liberalization and privatization over recent decades have led to an industry that is dominated by a small number of multinational companies. For many, job quality is low with workers carrying out dangerous, unskilled and low paid work.

61. A recent report on the impacts of privatization of public services found that:

> "cost cutting has become the main strategy companies adopt in response to the liberalization of markets. In labour-intensive services, this obviously mainly leads to attempts to reduce labour costs by reducing employment levels, even though, in most of the cases, direct layoffs are avoided. Other consequences include lower wages and the spread of precarious employment in some sectors and countries".[13]

---

[12] International Metalworkers' Federation Action Programme 2009-2013, adopted at the 32nd International Metalworkers' Federation World Congress, Gothenburg, Sweden, 24-28 May 2009, available from www.imfmetal.org/files/09060811555979/AP2009-2013Final-English.pdf.

[13] Summary report of project: Privatisation of Public Services and the Impact on Quality, Employment and Productivity (PIQUE), Vienna, 2009.

62. Today, the waste management sector is experiencing these effects, with cut-throat competition exerting a downward pressure on workers' terms and conditions of employment and leading to increased job precarity. While the economic and financial crisis has led to further job losses, trade unions also recognize the potential for significant employment creation, through the creation of new green jobs.

63. Furthermore, trade unions are concerned that increased private sector involvement in the waste management sector is skewing investment towards large, capital-intensive and profitable waste management technologies, such as incineration, and away from labour intensive, less profitable activities such as recycling. A 2007 study on municipal waste management in the United Kingdom of Great Britain and Northern Ireland, for example, found that:

> "privatized companies are attracted to mechanisms such as Private Finance Initiative (PFI) (because of the reliable long-term revenue streams) and large industrial projects such as incineration facilities (because of the returns on investment). This inevitably squeezes options for recycling as a response to the Government's obligation under the European Union directive to reduce the amount of waste sent to landfill. The length of many of these contracts means that these effects will be long-lasting".[14]

B. Possible approaches and further actions

64. As an overarching principle, trade unions emphasize the need for approaches to sustainable development in the waste management sector to explicitly link environmental protection and public health with the health and safety of workers.

65. First, trade unions are committed to the waste hierarchy of prevention, minimization, reuse, recycling, the conversion of waste to energy and finally disposal. This means promoting less waste-intensive production methods, following the 3R (reduce-reuse-recycle) approach. This must not be based on voluntary measures — the evidence shows that Governments that have used regulation to encourage waste reduction have seen real improvements in the design of products.

66. Second, it is necessary to implement the "polluter pays" principle through the application of "extended producer responsibility", which extends a producer's responsibility for a product to the post-consumer stage of a product's life cycle. Violations should be enforced and severely sanctioned.

67. Third, there is a need to apply the proximity principle whereby waste should be treated as close to the source as possible. This includes controlling the trade in hazardous wastes through effective regulation and enforcement.

68. A fourth area for action concerns the need to ensure that the waste management industry is investing in green technologies. Here there is a need to examine the incentives created by existing ownership structures and financing mechanisms.

---

[14] S. Davies, "UK Municipal Waste Management: From a Public Service to a Globalised Industry", *Competition & Change*, vol. 11, No. 1 (March 2007).

69. Finally, the trade union movement sees considerable potential for the creation of both green and decent jobs in the waste management sector. Green jobs are a first step towards the transformation to a greener economy and hold the key to achieving sustainable development for all. There is also a need to address the social dimension and improve the quality of jobs. Workers and their trade unions have a key role to play in both of these areas: improving workers' conditions; encouraging greater environmental responsibility by employers; collaborating in applying best practices to minimize waste; implementing new regulations and their enforcement; and encouraging the development of research in favour of technologies and products that are health and environmentally friendly.[15]

Box 7

Successful alliances: campaign against the scrapping of contaminated ships[16]

> The International Transport Workers' Federation and International Metalworkers' Federation have supported a Greenpeace campaign against the scrapping of contaminated ships in Asia, particularly in India. Some ships are contaminated with high levels of toxic and hazardous materials, including heavy metals and asbestos. Offshore scrapping pollutes the environment and endangers the health of the workers involved. Ships scrapped in Asia should be free of substances such as asbestos, lead, other heavy metal compounds, oily wastes and polychlorinated biphenyls. Shipowners should be responsible for rendering ships non-hazardous before breaking them up. There must be adequate safeguards for the environment and nearby communities.

VI. 10-year framework of programmes on sustainable consumption and production

70. The 10-year framework of programmes on sustainable consumption and production has several objectives. The present section concentrates on the first objective and examines the barriers to, and the means for, achieving and enabling a policy framework to promote sustainable consumption and production patterns.

71. Trade unions believe that the transformation of the current economic system requires a bold and ambitious approach that will drive the modes of production and consumption towards a socially equitable and environmentally viable society. Trade union understanding of sustainable development incorporates the importance of achieving social justice, as well as strengthening social dialogue and collective bargaining. These elements need to be better mainstreamed into a sustainable consumption and production framework.

---

[15] United Nations Environment Programme, "Labour and the environment: a natural synergy" (Nairobi, 2007), available from www.sustainlabour.org/dmdocuments/EN90-2007.pdf.

[16] Based on Gallin, D. (posted in December 2006). "Trade unions and NGOs in social development: a necessary partnership". Global Labour Institute; available from www.globallabour.info/en/2006/12/trade_unions_and_ngos_in_socia.html.

72. The 10-year framework should aim to accelerate the shift towards sustainable consumption and production patterns in order to achieve social progress and a fair distribution of wealth, resources and economic development, which is commensurate with the carrying capacity of the ecosystem. The sustainable consumption and production framework must set out the policies that will drive production in a way that will provide social benefits — it must not be reduced to ensuring environmentally friendly consumer behaviour.

A. Constraints and obstacles

73. The current production model will not deliver sustainable development. The increasing levels of unequal wealth distribution, poverty, unemployment, natural resource degradation, disease and violence all testify to this.

74. Today's unsustainable production model has a host of damaging impacts on workers ranging from the lack of freedom of association; child or forced labour; gender discrimination; occupational health and safety hazards; and poverty and insecurity. These social elements of unsustainability are compounded by the impact of production on the natural resource base and the environment.

75. Trade unions consider that there are a number of reasons why there has been so little progress on sustainability since the adoption of Agenda 21.

76. The first is the misguided belief on the part of Governments in voluntary initiatives, or corporate social responsibility. In the face of the growing influence of the private sector, trade unions consider voluntary corporate codes of conduct, without accompanying accountability measures, to be a mere exercise in public relations.

77. The second, which is related to the above, is the progressively biased governmental decision-making process of recent decades, under the influence of lobbying by private sector interests and a shift to neoliberal policies of deregulation.

78. The third reason is that trade unions consider that the shareholder value model of corporate governance has a highly negative impact on sustainable development, given its focus on short-term returns on investment as the overriding aim of a company, to the exclusion of other factors and stakeholders.

79. The final reason for the lack of progress, according to trade unions, is that the increasing inequality between countries is not only a result of unsustainable patterns of production, but is also a driver of this process, as investment decisions are often determined by the search for lower labour and environmental standards.

B. Possible approaches

80. First and foremost, it is important to recognize that a "sustainable product" does not imply sustainable production per se — the method of production is key. Achieving sustainable production depends on performance across a number of different indicators including decent job creation, working conditions and skills development.

81. Furthermore, it is important to achieve a balance between regulatory and market-driven policies. World production has not become more sustainable since the

adoption of the Johannesburg Plan of Implementation. On the contrary, excessive reliance on voluntary initiatives and market-driven rules has resulted in increasing levels of violations of labour rights, poverty and unsustainable patterns of natural resource use.

82. For trade unions, regulation remains the fairest and most effective means of introducing sustainability. The agreement of internationally agreed standards on sustainable production and consumption, including tripartite sectoral standards, must be at the core of the 10-year framework of programmes.

83. Public regulation also has a key role to play in driving innovation and the creation of green and decent jobs: from the introduction of feed-in tariffs for promoting renewable energies, to the inclusion of rules for preventing chemical exposure based on the precautionary principle, public regulation has proven to be a major force in stimulating innovation in the private sector.

84. Also in this regard, trade unions consider that there is a need to address sustainability in the supply chain. Many agricultural, textile and manufactured products are produced through chains of subcontractors in developing countries where it is difficult to assess working conditions or identify the use of child labour.

85. The 10-year framework of programmes should apply the principle of the extended responsibility of enterprises. It should also recognize the role of trade unions in delivering social outcomes and helping to build greener and more sustainable supply chains. It should promote instruments aimed at improving standards along the supply chain, including the OECD Guidelines for Multinational Enterprises and the Global Reporting Initiative (GRI).

86. Moreover, the 10-year framework of programmes should also focus on small and medium-sized enterprises, which are responsible for most of the world's employment and natural resource use and are perpetrators of the worst violations of labour and environmental law.

87. Additionally, the 10-year framework of programmes should recognize the importance of trade unions whose presence in the workplace and role in collective bargaining at all levels — local, regional, sectoral, national and international — makes them uniquely placed to support the implementation of sustainable consumption and production agreements. The 10-year framework of programmes should in particular explore the role of international framework agreements as a tool for promoting sustainable development. These agreements have had measurable impacts in terms of improving the economic, social and environmental performance of multinational enterprises and are also important for the 10-year framework of programmes, in that they promote the better integration of sustainable development in trade union policies and practices.

88. Finally, citizens as consumers should be provided with the necessary information to allow them to choose between products on the grounds of sustainability, but within a range of products that achieve a minimum level of sustainability. This requires the right mix of regulation (providing a level playing field) and choice (based on personal views).

Box 8

International framework agreement with Chiquita in Latin America[17]

In 2001, the IUF (International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and Allied Work) and Chiquita signed an international framework agreement on freedom of association, minimum labour standards and employment in Latin American banana operations. The agreement requires Chiquita to reaffirm its commitment to respect core ILO conventions,[18] continuously improve employment and working conditions of Chiquita employees and to consult with trade unions on issues that affect contracts and the volume of work. The agreement also ensures that "Chiquita will require its suppliers, contract growers and joint venture partners to provide reasonable evidence that they respect national legislation and the Minimum Labour Standards outlined in Part I of this agreement. The parties agree that the effective implementation of this provision is dependent upon a number of factors such as Chiquita's relative degree of influence over its suppliers and the availability of appropriate and commercially viable supply alternatives. Implementation of this part of the agreement shall therefore be jointly assessed by the Review Committee taking into account these factors". http://www.sustainlabour.org/ files/IFAs/IFA_Chiquita.pdf.

C. Further actions

89. A truly sustainable consumption and production policy should link economic growth with the creation of decent jobs and stimulate demand for, and supply of, sustainable products and services. The following policies should be supported:

(a) **Democratic governance, respect of core labour rights and adequate regulation** are the baseline for achieving sustainable production;

(b) **Decent work** should be at the core of a sustainable supply chain, as it helps to combat poverty, reduce vulnerability to economic, social and environmental changes and empower communities;

(c) **Effective regulation** in order to enhance green and decent job creation and sustainable production patterns and reduce occupational injuries, diseases and the environmental impacts of production;

(d) **A just transition framework** to protect workers from losing their jobs and livelihoods in the shift to the greener economy. This requires investment, economic diversification, education and skills development, social protection and social dialogue;

(e) **Trade union participation** in sustainable development in the workplace and at the local, regional, national and international levels and the promotion of core ILO conventions, the OECD Guidelines for Multinational Enterprises and the ILO

[17] See text at www.sustainlabour.org/files/IFAs/IFA_Chiquita.pdf.

[18] See www.ilo.org/global/What_we_do/InternationalLabourStandards/Introduction/ConventionsandRecommendations/lang--en/index.htm.

Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

(f) **Focus on small and medium-sized enterprises**, where workers face the hardest working conditions and where natural resource use and sustainability are a low priority;

(g) **Increase consumer awareness** and promote the core ILO conventions and the OECD Guidelines for Multinational Enterprises to deliver improvements, efficiency and sustainability for workers throughout the supply chain.